

June 11, 2015

5:30 PM

The City Council of the City of Inverness met on the above date in **Special Session for the Community Redevelopment Agency (CRA) Ordinance**, at 212 W. Main Street with the following members present:

President Hepfer
Vice President Ryan
Councilwoman Bega
Councilman McBride
Councilman Hinkle
Mayor Plaisted

Also present were City Manager DiGiovanni, Legal Counsel Lawson, Asst. City Manager Williams, Community Development Director Malm, and City Clerk Davis.

The Invocation was given by Councilman Hinkle and the Pledge of Allegiance was led by the City Council.

The meeting was called by the following Notice to all Council, Mayor, media, as well as publicly posted.

NOTICE OF SPECIAL COUNCIL MEETING

DATE: April 22nd, 2015

PLEASE BE ADVISED, THE CITY COUNCIL OF THE CITY OF INVERNESS, FLORIDA, WILL MEET IN SPECIAL MEETING ON **MONDAY, June 11th, 2015 @ 5:30PM** AT THE 212 W. MAIN STREET, INVERNESS, FLORIDA FOR THE PURPOSE OF DISCUSSING:

“ COMMUNITY REDEVELOPMENT AGENCY (CRA) EXTENTSION ORDINANCE”

/s/Jacquie Hepfer

President of City Council

PUBLIC HEARINGS

4)a) ICRA Expansion and Extension Ordinance – Final Reading- Council President Hepfer introduced the Ordinance and asked for motion to read by title only.

Councilman McBride motioned to have City Clerk Davis read Ordinance 2015 - 710 by title only. **Seconded by Councilwoman Bega.** The motion carried.

ORDINANCE 2015-710

AN ORDINANCE OF THE CITY OF INVERNESS RELATING TO COMMUNITY REDEVELOPMENT; CONFIRMING, RATIFYING, AND SUPPLEMENTALLY ADOPTING A MODIFICATION TO THE INVERNESS COMMUNITY REDEVELOPMENT PLAN; EXPANDING THE

BOUNDARIES OF THE COMMUNITY REDEVELOPMENT AREA; EXTENDING THE TIME CERTAIN TO COMPLETE REDEVELOPMENT FINANCED BY TAX INCREMENT REVENUES; PROVIDING DIRECTION AND AUTHORITY CONCERNING REDEVELOPMENT FINANCING AND THE ISSUANCE OF REDEVELOPMENT REVENUE BONDS; PROVIDING FOR AMENDMENT OF PART II, CHAPTER 2, ARTICLE V, SECTION 2-203, REDEVELOPMENT TRUST FUND, OF THE CITY OF INVERNESS CODE OF ORDINANCES; PROVIDING FOR RESTATEMENT AND REPEAL OF INCONSISTENT ORDINANCES; RESERVING RIGHTS; PROVIDING SEVERABILITY; PROVIDING FOR LIBERAL INTERPRETATION AND CORRECTION OF ERRORS, IF ANY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

The Public Hearing was opened.

For: No one spoke for the Ordinance

Against:

Christopher Mulligan, 161 E Jefferson Street, Brooksville, and legal counsel for the Henderson Lake Neighborhood Association. He noted the previous letter provided to Council regarding their objections and statutory concerns with the plan, which he provided to Council along with copies of petitions showing community support for what his client is trying to accomplish. They would like Council to consider one of their three goals presented this evening. He spoke to the level of CRA expansion, the board representation, and the increased taxable income. Their three goals being presented this evening for Council consideration were 1) They feel City Council should not move forward on expanding the current Redevelopment Area, given the concerns outlined this evening. 2) If City is to go forward with the expansion, that they consider a variance to the proposed Ordinance, removing this neighborhood from this blighted part of the plan. 3) If these cannot be achieved, they feel there should be more residential representation on the ICRA Board.

Samantha Carter, 204 E Vine Street, Inverness, addressed Council and spoke to her desire to have her neighborhood removed from the ICRA expansion study. She spoke to the news article from previous week which noted the June 1st estimate of taxable values for the county, which indicated how this is the first increase in overall tax values since 2007. She felt to insinuate that their neighborhood conditions are blighted and slum, are inappropriate, and a mis-use of this law.

Nick Carter, 204 Vine Street, Inverness, stated how this is a bogus application of the law. He spoke to all the improvements made to his home and cannot consider it to be his home, as the City could decide they want to build a Convention Center. He spoke to the City's future use of the land and to eminent domain, and he feels they are going to have to move.

Charles Spinella, 115 Sassy Lane, Inverness addressed Council, and spoke to disclosure and the fear people have to what could possibly happen. Eminent domain can always be changed through the State. He felt that the City wants this property to expand the parks and is the reason they didn't include the Trailer Park across the street. He asked that before council makes a decision, that they put themselves in their position.

The Public Hearing was closed.

Mark Lawson, Legal Counsel, noted that this was a continuation of meetings duly advertised and held in April & March. The Ordinance was read on March 3rd and March 17th, and the meeting continued until April 28th, with the Final Reading being this evening, June 11th. He spoke to how we followed the statutes and had discussion with the County. They had the Chairman set a meeting within 90 day, providing an opportunity to have discussion, and additionally provide the City a report of their objections, which did not occur. The statute provides that after the passage of time (draw out), if no progress is made, that the City may move forward 30 days later, which ended on May 10th. In the interim, the City properly informed and provided information to the Property Appraiser Office on or before May 1, providing a complete roll of the area, for information needed for their calculation process. He noted a certificate of the Property Appraisers Office receipt of this information, which he wished to have put into the records. He advised Council of an additional paragraph (3)(F) to be read into the records for Council consideration to be added to the Ordinance, which is informational and has no substance.

(F) Due to the passage of time and the failure of the County Commission to set a meeting pursuant to section 163.361(3)(b)3., Florida Statutes, the increment revenue associated with and deposited into the Redevelopment Trust Fund derived from the expanded Community Redevelopment Area shall be calculated for the purposes of section 163.387(1)(a)2. Based upon the most recent assessment roll used in connection with taxation prior to the effective date as supplementally providing for the funding of the Redevelopment Trust Fund.

He stated that this is being done due to the passage of time and the failure of the County Commission to set a meeting pursuant to section 163.361(3)(b)3., Florida Statutes. This provision shall be deemed, for all purposes, as supplementally providing for the funding of the Community Redevelopment Trust Fund. Another reason for doing this is because there has been a misunderstanding on how the increment is calculated and section 163.387(1)(a)2 which states how you calculate the increment and you relate back to the most recent role used for taxation purposes, and the role last certified, is November 1, 2014. He spoke to the additional notices mailed and handed to County Officials. He introduced Mr. Kohler, Supervising Professional, to share his review of data and physical review of the redevelopment area.

Mr. Tom Kohler, GAI Community Solutions Group, a firm under RERC, Real Estate Research Consultants, advised that the study was complete last year. He has been asked to revisit the Governmental statistical data, as well as this field analysis of the blighting

conditions, which he did in March, and again today and substantially the blighting conditions remain. He spoke to previous statement made regarding property values going up 10%, and a climb in the assessed value. He pointed out that under the law, it states to look at five year period. Within the five year period, the CRA assessed values have actually gone down over 3%. He spoke to eminent domain, his background in this area, and in the past 22 years they have used eminent domain 1 time, which was to widen a sidewalk.

City Manager DiGiovanni asked if he ever experienced, in his role as a consultant with other cities, where people had a preconception with a CRA expansion, that property rights went away. Mr. Kohler noted that people had more concern that they are included in a blighted designation, and also that it is an added tax.

Mark Lawson concluded that this is a remedial Ordinance that makes it clear what you have done. Section F makes it clear what the base year is and relates back to the most recent role used for ad valorem taxation purposes.

Councilman Ryan stated that we look at the term Blight as an legal term and not as a social term or economic term. We are not trying to take or devalue anyone's land, but this will increase the value. Money put into the CRA, stays within the CRA. It will only improve the property.

Councilwoman Bega noted how disturbing the mis-understanding of what the intent of what the Ordinance is as this will be an improvement and have seen what it has already done in the ICRA area, and are looking forward to expanding the improvement to other parts of the City.

Councilman McBride stated that we are going to make major improvements in our City and hope people would have sense of trust that this City gets things done and makes improvements.

Council President Hepfer stated that we have been over this many times, had many professionals speak to this, and we are unable to change people's minds. We need to move forward and will see the improvement, as opposed to taking anything.

Councilman Ryan motioned to adopt Ordinance 2015-710, with the addition of addendum F. Seconded by Councilman McBride. Roll call vote was as follows: Councilwoman Bega, yes; Councilman McBride, yes; Councilman Hinkle, yes; Councilman Ryan, yes; President Hepfer, yes. The motion carried unanimously.

City Manager DiGiovanni spoke to Resolution 2015-05 which was passed May 17th, 2015, and asked that Council motion, second and vote to Re-confirm that Resolution.

Councilman Hinkle motioned to re-confirm and read by title only, Resolution 2015-05. Seconded by Councilman McBride.

RESOLUTION NO. 2015-05

A RESOLUTION OF THE CITY OF INVERNESS RELATING TO COMMUNITY REDEVELOPMENT; FINDING THE EXISTENCE OF BLIGHTED AREA CONDITIONS WITHIN THE CITY OF INVERNESS, FLORIDA; MAKING CERTAIN FINDINGS AND DETERMINATIONS; FINDING A NEED FOR EXPANDING

**THE EXISTING COMMUNITY REDEVELOPMENT AREA
PURSUANT TO CHAPTER 163, PART III, FLORIDA
STATUTES; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Mark Lawson, Legal Counsel noted that this was being done due to the County asking for the draw out period, which has been over 90 days, this brings up to date and confirms the necessity.

Councilman Ryan motioned to adopt Resolution 2015-05 by roll call vote. Seconded by Councilman McBride. The motion carried unanimously.

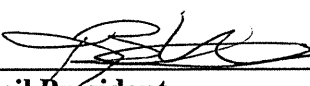
It was noted that the Resolution was not on the agenda and the action needed to be removed.

Councilwoman Bega motioned that we strike the most recent Resolution vote. Seconded by Councilman Ryan. The motion passed unanimously.

The meeting was adjourned at 6:32pm.



City Clerk



Council President